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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **WESTERN DIVISION**

11 C.L. JACKSON,

12 Plaintiff,

13 v.

14 UNITED STATES OF AMERICA
15 DEPARTMENT OF VETERANS
16 AFFAIRS, et al.,
Defendant(s).


No. CV 08-541-DDP (AGR)

ORDER ADOPTING MAGISTRATE
JUDGE'S REPORT AND
RECOMMENDATION

17 Pursuant to 28 U.S.C. § 636, the Court has reviewed the entire file *de novo*,
18 including the Magistrate Judge's Report and Recommendation. The Court agrees
19 with the recommendation of the Magistrate Judge.

20 IT IS ORDERED that (1) Magistrate Judge's Report and Recommendation is
21 adopted; (2) Defendant's motion to dismiss is granted; (3) any common law tort
22 causes of action are dismissed without prejudice; (4) the *Bivens* cause of action is
23 dismissed with prejudice as to (a) Defendant United States of America, (b) Defendant
24 U.S. Department of Veteran Affairs, (c) Officer Webb in his official capacity, and (d)
25 Officer Brice in his official capacity; and (5) Plaintiff's request for a stay is denied.

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27 DATED: February 2, 2010
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DEAN D. PREGERSON
UNITED STATES DISTRICT JUDGE